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HUMAN RIGHTS AND STATE GOVERNMENT

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It is the policy of the state of Montana to employ and promote its workers without discrimination. The process of assuring equal employment opportunity to all does not terminate in a policy announcement; it is not a passive process; the goal cannot be achieved through rhetoric alone. The process must be an ongoing, conscious, and pragmatic effort in the day-to-day operations of State government. Accordingly, four State bureaus have been initiated to provide day-to-day services in the area of human rights. This brochure is designed to introduce and explain these new services to you. I hope you will read this brochure, save it, and, most of all, use it.

Thomas L. Judge, Governor
State of Montana

HUMAN RIGHTS BUREAU



Purpose:

The Human Rights Bureau serves as the staff of the Human Rights Commission, the body charged with enforcement of the Human Rights Act (see Sections 64-301 through 64-330, R.C.M. 1947) which is the state law prohibiting certain kinds of discrimination. The bureau investigates complaints to determine if unlawful discrimination exists, and if it does, attempts to reach an informal settlement. If no conciliation is possible, the staff presents the case for the complaining party to the Commission in a formal, public hearing.

Illegal Discrimination:

It is illegal in the state of Montana to discriminate against anyone because of their race, religion, color, national origin, age, sex, mental or physical handicap in the following areas: employment, training, housing, public accommodations, financing, education, or government services. Further, discrimination because of one's marital status is barred in all of the above areas, **except** in public accommodations and housing. The state and its political subdivisions are prohibited from discriminating against employees or potential employees because of their political beliefs, with the exception of the personal staff of the legislative leadership and elected officials. Retaliation against one who files a complaint, assists in processing it, or opposes unlawful discrimination, is itself unlawful.

Procedure:

A complaint of discrimination may be filed, with the Human Rights Commission on a form provided by the bureau staff or by letter. The following information must be included: (1) the name, address, and telephone number of the person(s) filing the complaint; (2) the name, address, and telephone number of the person(s) or organization accused of discriminating; (3) a brief description of the actions considered discriminatory. The complaint should be notarized.

Other information:

The Human Rights Commission is a five member body appointed by the Governor. The bureau staff is responsible to the Commission. The Commission is autonomous. Orders issued by the Commission after it holds a hearing on a complaint are enforceable in court.

The Federal Equal Employment Opportunity Commission is charged with preventing employment discrimination. The Human Rights Commission acts as the agent in Montana for processing Montana complaints filed with the EEOC.

Complaints must be filed within 180 days of the alleged incident. All are confidential unless and until they are set for public hearing. A complaint may be withdrawn at any time by the complainant.

Staff Make-Up:

Staff - 9 persons:

1 Bureau Chief, 1 Attorney, 3 Investigators, 2 Education and Information Personnel, 2 Clerical.

Location and Mailing Address:

Human Rights Bureau
Room 620 Power Block
Helena, Montana 59601

Telephone:

449-2884



WOMEN'S BUREAU

Purpose:

To provide public education and technical assistance services in the areas of women's employment and employment-related needs and problems. (Ch. 24, Sec. 41-2401 through 41-2403, R.C.M. 1947).

Functions:

Conduct studies regarding the changing employment needs and problems of women in Montana and make recommendations to the Governor and the Legislature.

Direct public attention to critical employment problems confronting women as wives, mothers, homemakers, and workers.

Serve as a clearinghouse for information and materials pertinent to programs and services available to assist and advise women on employment and related matters.

Co-operate with governmental departments and agencies primarily involved in curbing job discrimination and in the expansion of employment rights and opportunities available to the women of this State.

Conduct periodic conferences throughout the State to make women more aware of employment opportunities, programs, and services available to them.

Serve as the central permanent agency for the co-ordination and evaluation of employment programs and services for women of the State and as a planning agency for the development of those services.

Encourage women's organizations and other groups to institute local self-help activities designed to meet women's employment and related needs.

Sample Activities:

Initiate surveys on women's employment in Montana.

Collect and distribute materials on women's employment in Montana and the nation.

Establish a state-wide communication channel among all groups concerned directly or indirectly with women's employment.

Prepare a list of State government boards, commissions and councils and the dates on which the terms of current members end; available twice a year to encourage groups to recommend qualified women for appointment.

Attend Advisory Council on the Status of Women to receive consultation on activities.

Staff Make-Up:

Staff - 2 persons:

1 Bureau Chief, 1 Secretary

Location and Mailing Address:

Women's Bureau

Department of Labor and Industry

Power Block Building, South Annex, Room 2

Helena, Montana 59601

Telephone:

449-2856



EQUAL EMPLOYMENT OPPORTUNITY BUREAU

Purpose:

To design, implement, and maintain an Equal Employment Opportunity Program for Montana state government, thereby striving to eliminate discrimination in all facets of personnel management. (Gubernatorial Executive Order, 8-73).

Functions:

Prepare a Statewide Affirmative Action Plan for State government to guide supervisors in eliminating discriminatory personnel practices and policies and to allow State government to measure its progress toward making equal employment opportunity a reality.

Assist all State agencies in developing, implementing, and maintaining their Affirmative Action Plans.

Issue to agencies such regulations, standards, record-keeping requirements, and technical assistance deemed necessary to clarify each agency's Affirmative Action Plan.

Prepare and analyze annual EEO-4 Report data, a report required by the Federal Equal Employment Opportunity Commission. This report contains an analysis of all State employees by salary, job category, sex, and ethnic background.

Provide information to employees, employers, and persons seeking information on equal employment opportunity laws.

Sample Activities:

Initiated and coordinated the Human Rights Conference held in Helena on November 18, 19, and 20, 1974.

Planning of workshops for agency EEO Officers to acquaint them with EEO and what their roles will be.

Referral of discrimination complaints and employment inquiries to the agencies concerned.

Staff Make-Up:

Staff - 4 persons:

1 Bureau Chief, 2 Equal Employment Opportunity Specialists,
1 Equal Employment Opportunity Specialist for C.E.T.A.

Location and Mailing Address:

Department of Administration
Personnel Division

Equal Employment Opportunity Bureau
1218 East Sixth Avenue
Helena, Montana 59601

Telephone:
449-3871



OFFICE OF THE COORDINATOR OF INDIAN AFFAIRS

Purpose:

To provide advice and technical assistance to Tribal, State and Federal agencies in developing programs so that Indians, both on and off the reservations, may achieve adequate standards of living. Section 82-2701, 82-2702 and 82-2703, Chapter 27, R.C.M. 1947.

Functions:

Act as a representative for Native American organizations and groups, public and private, whenever such assistance is requested.

Confer with and advise the Legislature and the Governor on the needs and goals of Montana's Native American population.

Identify and provide a channel for service and assistance available to the Native American population from other State and Federal agencies.

Evaluate and coordinate with the State, the Bureau of Indian Affairs, and other agencies on existing programs which affect or involve Native Americans in such areas as housing, education, welfare, law and order, employment and economic development.

Act as State representative to Montana Inter-Tribal Policy Board and Montana United Indian Association for advise and consultation.

Sample Activities:

Promoted State and Federal Legislation beneficial to Montana Native Americans.

Developed the "Profile of the Montana Native American," a handbook which statistically documents such aspects of Native American life in Montana as population, health, education, welfare, employment, housing, land ownership, and legal offenders.

Initiated the Montana Native American Talent Bank to identify all Native Americans who have participated in the BIA Education and Employment Assistance programs, receiving a college degree or vocational training certificate.

Assisted in the organizational structure of the Governor's Task Force on Tribal, State and Federal Responsibilities.

Staff Make-up:

I Coordinator

I Administrative Assistant

I Secretary

Location and Mailing Address:

Office of the Coordinator of Indian Affairs
Department of Community Affairs
1424 Ninth Avenue
Helena, Montana 59601

Telephone:
449-2746

